

REMARKS

This amendment is submitted in response to the Office Action dated May 12, 2009. Reconsideration and allowance of the claims is requested. In this Office Action, claims 1-25 and 26-33 are considered and rejected over the prior art. By way of this reply, Applicants are amending claims 1, 3, 7, and 34. No new matter has been added by those amendments. Applicants respectfully request reconsideration and allowance of all claims in view of the following remarks.

Rejections under §103(a)

The Examiner rejects claims 1-11, 20-25, and 34-36 under 35 U.S.C. §103(a) as being unpatentable over Brown (U.S. 7,329,188) in view of Fukushima (U.S. 6,388,638). These rejections are respectfully traversed.

As amended, each of claims 1 and 7 recites the limitations of altering image content within a rendering unit in response to tags in a data stream provided to the rendering unit to remove, add, or modify an item in the image content that is a portion of the digital content visible to a viewer. The alterations of the image content are not visually perceptible for real-time display, but are visually perceptible in a recorded version of the image content. These limitations are supported by at least paragraphs [0032], [0033], [0052], and [0054]-[0056] and Figures 5A-5E, 9A, 9B, 10A, 10B, 11A, and 11B of the application, as originally filed. Neither of the cited references teaches or suggests these limitations.

Brown teaches a technique for modeling human behavior by selecting frames of behavior for a character based on interaction with a user (see Brown at col. 5, lines 1-32). The behavior frames adjust the current character's attitudes towards the user (see Brown at col. 5, lines 44-47). Tags may be created and modified and are used to control the starting behavior frame to define the character's attitude toward the user. Importantly, the tags control the selection of behavior frames for the character and do not control an item in the image content that is visible to a viewer, as now expressly recited in amended claims 1 and 7.

Fukushima fails to teach or suggest the limitations of removing, adding, or modifying an item in the image content that is a portion of the digital content visible to a

viewer, as recited in amended claims 1 and 7. Fukushima fails to cure these deficiencies of Brown.

The Examiner relies on Fukushima for teaching that alterations of the digital content are not visually perceptible for real-time display. Fukushima discloses that making real-time display calculations is difficult and results in unnatural images since the rendering unit cannot produce images at a real-time frame rate (see Fukushima at col. 1, lines 40-44). While using a rendering unit that is not capable of providing altered images in real-time does produce unnatural images, such a rendering unit would not also be capable of providing unaltered images. In short, the modifications to the technique taught by Brown, based on the teachings of Fukushima, would render the rendering unit of Brown inoperable for producing images at a real-time frame rate as needed for users to interact with characters in an online gaming environment. Thus, no one skilled in the art would contemplate such a modification.

Consequently, no combination of Brown and Fukushima teaches or suggests each and every limitation of amended claims 1 and 7. Therefore, amended claim 1 and claims 2-6 and 34-36, dependent thereon, as well as amended claim 7 and claims 8-11 and 20-25, dependent thereon, are patentable over Brown and Fukushima.

In addition, claim 3 is amended to recite the limitations of distorting at least one object visible to the viewer in a frame. This limitation is supported by at least paragraph [0043] of the application, as originally filed. Again, neither Brown nor Fukushima teaches or suggests these limitations. Therefore, this claim is in condition for allowance independent of its dependency on amended claim 1.

The Examiner rejects claims 12-19 under 35 U.S.C. §103(a) as being unpatentable over Brown (U.S. 7,329,188) in view of Fukushima (U.S. 6,388,638) and Ryan (U.S. 6,374,036). These rejections are respectfully traversed.

The Examiner relies on Ryan only for teaching the limitations recited in claims 12-19. Ryan teaches a "copy once" mechanism that allows no copy or only a single recording of digital content. In order to enable recording of no copy or only a single copy of video content, frame markers are inserted into the video signal. The image content that is visible to a viewer of an authorized recorded version of the original digital content is unaltered compared with the original digital content. In fact, as recognized by

those skilled in the art, it is undesirable for portions of the recorded content that are visible to a viewer to differ from the original video frames. In sum, Ryan does not teach or suggest altering image content within a rendering unit in response to tags in a data stream provided to the rendering unit to remove, add, or modify an item in the image content that is a portion of the digital content visible to a viewer, where the alterations of the image content are not visually perceptible for real-time display, but are visually perceptible in a recorded version of the image content. Thus, Ryan fails to cure the deficiencies of Brown and Fukushima set forth above.

As the foregoing illustrates, the combination of Brown, Fukushima and Ryan fails to teach or suggest each and every limitation of amended claims 1 and 7. Therefore, amended claims 1 and 7, and the claims dependent thereon, are in condition for allowance.

Conclusion

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed. Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed. If the Examiner has any questions, please contact the Applicants' undersigned representative at the number provided below.

Respectfully submitted,



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